THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13394 of 2006

24-07-2006

Between:-

Polavarapu Babu Rajendra Prasad.

Petitioner

And

Inspector of Police, IV Town Police Station, visakhapatnam and six others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13394 of 2006

Oral order:

The petitioner alleges that at the instance of respondent Nos. 3 to 7 who have entered into an agreement with one Prabhakar Rao, Deputy Inspector General of Police and at his instance, (Mr. Prabhakara Rao is not a party to the writ petition) the 2nd respondent had instructed the 1st respondent to settle the issue with the petitioner and that as a consequence of this nexus, the petitioner is being forced by the 1st respondent to handover the original documents relating to an agreement of sale dated 06-12-2002 entered into between the petitioner and one Kapu Kanakam pursuant to which the petitioner was put in possession of the property.

The 1st respondent has categorically and unequivocally denied the allegations, but has stated that Crime No. 21 of 2006 under Sections 506 and 520 IPC was registered against one Pilla Gurunadha Rao Patrudu based on a complaint filed by Jakka Parvathi before the learned I-Additional Chief Metropolitan Magistrate, Vishakapatnam, which was referred to the Police Station, was being investigated. The accused-Pilla Gurunadharao Patrudu was arrested on 12-06-2006 and thereafter released on bail. The investigation revealed that the accused together with Kapu Kanakam, an employee of the Revenue Department and with a dishonest intention sold away the house sites. In respect of such sites the petitioner entered into an agreement of sale knowing fully well that the accused Pilla Gurunadharao Patrudu had no title to the property. In that connection, the counter of the 1st respondent states, the petitioner was called as a witness during the course of investigation in crime No. 21 of 2006. The 1st respondent's counter specifically denies that at the instance of the 2nd respondent, the 1st respondent was trying to settle civil disputes by coercing the petitioner.

The 2nd respondent has also filed a counter affidavit specifically and categorically denying the allegations.

The averments in the counter affidavits are not

disputed by any subsequent pleadings of the petitioner.

In the circumstances aforesaid, no case is made out for interference. The writ petition is dismissed. No costs.

_____

GODA RAGHURAM, J

Dated:24-07-2006
Pvks/*